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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,974	01/11/2005	Takehiko Nakano	09812.0204	6460
22852	7590	02/23/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER YOUSSEF, SHAHROUZ	
			ART UNIT 2432	PAPER NUMBER
			MAIL DATE 02/23/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,974

Applicant(s)

NAKANO ET AL.

Examiner

SHAHROUZ YOUSEFI

Art Unit

2432

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/01/2008 has been entered.
2. Claims 1-3, 5-9, and 11-21 are pending. Claims 1-5, 7-9, 11, 13, 14, 16, 18, 19 and 21 are amended and claims 4 and 10 were previously canceled by applicants.
3. An English language translation of the entire Shirakawa reference is attached.

Response to Arguments

4. Applicants contend that Shirakawa and Kudo, taken alone or in combination, fail to teach or suggest at least the claimed means for causing the disconnection. The Examiner respectfully disagrees. Shirakawa clearly discloses a switch part 21 that is provided between a LAN (internal network) and a WAN (external network) to connect/disconnect the internal network from the external network, see par. [0001]. Also, Shirakawa discloses "a control means that switches the above-mentioned switching means to the substantial connection state or the substantial cut-off state in accordance with the establishment of prescribed conditions, par. [0009].
5. Applicants contend that "The Office Action correctly concedes that Shirakawa fails to teach or suggest claimed means for causing the disconnection, and relies on

Kudo to remedy the deficiencies of Shirakawa" page 9 of remarks. The Examiner respectfully disagrees. The previous office action stated that "Shirakawa does not explicitly disclose transfer of content in response to device request", see par. 8; and not that Shirakawa fails to teach or suggest claimed means for causing the disconnection.

6. Applicants further contend that Kudo's content is not "media content". Examiner interprets the "media content" to be any kind of data, thus, Kudo discloses transfer of media content to the device.

7. Applicants further contend that Kudo's permit acknowledgment is not a "license...allowing the device to use the media content." Examiner refers Applicant to the claim language, which states "during **at least one of** ..." Kudo clearly discloses one of the elements such as the registering the device as a member on the home network, see par. [0010].

Claim Rejections - 35 USC § 103

8. Claims 1-3, 5-9 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shirakawa (JP 2002-175224) in view of Kudo et al. (US 2003/0126243) hereinafter Kudo.

9. With respect to claim 1, Shirakawa discloses means for connecting/disconnecting (switch part 21, see fig. 1) the external network to/from the first home network (a line switch part 21, fig. 1 is provided between a LAN1 as the internal network in limited meaning, and a WAN3 as the external network, abstract); and local environment management means for causing the means for

connecting/disconnecting to disconnect the first home network from the external network (control part 21 that makes a request for connecting and disconnecting is part of the device). Shirakawa does not disclose registering the device on the home network in response to a request received from the device. However, Kudo discloses in response to a request received from the device (The network connection management device is provided with decision of permission means for deciding whether to permit the connection when receiving an address setting request from the new network device, par. [0010]), during at least one of registering the device on the first home network (registration processing means for registering information related to the new network device permitted to be connected to the network by the decision of permission means, par. [0010]), transferring media content to the device, and issuing a license to the device allowing the device to use the media content. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the content determination and registering process of Kudo to allow transfer of content between router and home device. This will allow administer to monitor external network to prevent unauthorized access to the system.

10. With respect to claim 2, Kudo discloses a home server on the first home network for acquiring the media content from the external network via the router, wherein the device requests the content from the home server (If the similar operation is employed to connect a new device to a network, the user will be requested to perform the operation between the server or router and the terminal to be connected simultaneously or alternately, par. [0007]). It would have been obvious at the time the invention was

made to a person having ordinary skill in the art to modify Shirakawa with Kudo to allow administer to monitor external network to prevent unauthorized access to the system.

11. With respect to claim 3, Kudo discloses two or more home servers on the first home network for providing the media content on the first home network (a network system configured by a plurality of network devices, each having terminal functions, as well as at least one network connection management device having server or router functions, par. [0009]); wherein the local environment management means temporarily disconnects the first home network from the external network (The network connection management device is provided with decision of permission means for deciding whether to permit the connection when receiving an address setting request from the new network device, par. [0010]) during at least one of registering the device as a member on the first home network, transferring the media content to the device and issuing a license to the device allowing the device to use the media content from the home servers (block 26a determines the content and sends a "permit" or "not permit" acknowledgement to the gateway device 100 through the response processing block 29a according to the input of the user, par. [0024]). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with Kudo to allow administer to monitor external network to prevent unauthorized access to the system.

12. With respect to claim 5, Kudo discloses the device is able to use the media content acquired from the home servers on the first home network and, upon connecting the device to a home server on a second home network outside the first

home network, the device is unable to use the media content acquired from the home servers on the first home network (Receiving the response from the network device 200b, the gateway device 100 determines the content. When the content denotes "permit", the gateway device 100 sends the necessary information to the network device...the network device 200b denotes "not permit", the gateway device 100 sends a "not permit" message to the network device 200a and cancels the display on the displaying block 7, par. [0027]). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with Kudo to allow administer to monitor external network to prevent unauthorized access to the system.

13. With respect to claim 6, Shirakawa discloses after completion of local communication on the first home network, or after a predetermined amount of time from a start of the local communication has elapsed, the local environment management means reconnects the first home network to the external network (a change in the connection condition of the circuit switch section 21 and cutting condition by the control section 22 can also be carried out by the time amount which a timer clocks, par. [0030]).

14. Claims 7-9, 11 and 12 differ from claims 1-3, 5 and 6 only in that claims 1-3, 5 and 6 are a system claim whereas, claims 7-9, 11 and 12 are a method claim. Thus, claim 7-9, 11 and 12 are analyzed as previously discussed with respect to claims 1-3, 5 and 6 above.

15. With respect to claim 13, Shirakawa discloses local environment management means for requesting disconnection of the home network from the external network

(when a control means makes a switching means a substantial cutting condition access to an internal network from an external network serves as impossible, par. [0010]).

Shirakawa doesn't disclose registering the device on the home network in response to a request received from the device. However, Kudo teaches means for receiving a request from a device on the home network (the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018]); and, in response to the request, during at least at least one of registering the device as a member on the home network (registration processing means for registering information related to the new network device permitted to be connected to the network by the decision of permission means, par. [0010]), transferring media content to the device, and issuing to the device a license allowing the device to use the media content. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the content determination and registering process of Kudo to prevent unauthorized access to external network.

16. With respect to claim 14, Kudo discloses the communication apparatus is a home server for providing the media content on the home network (at least one network connection management device having server or router functions, is provided with configuration processing means for initializing its address, par. [0009]). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with the server of Kudo to provides services to internal network.

17. With respect to claim 15, Kudo discloses the local environment management means requests reconnection of the home network to the external network after

completion of local communication with the device (The gateway device 100 includes a communication interface 1 for connecting the system to a wireless LAN, a router processing block 2 for controlling data transfer between the wireless LAN and an external network, and an external communication interface 3 for connecting the system to an external wide-area network....the new device on the displaying block 7 to notify the user of the request, par. [0018]).

18. With respect to claim 16, Shirakawa discloses means for connecting/disconnecting the external network to/from the home network (the switch part 21 is switched between a connected condition and a disconnected condition, abstract); and control means for causing the means for connecting/disconnecting to disconnect the home network from the external network (control part 21 that makes a request for connecting and disconnecting is part of the device). Shirakawa doesn't disclose registering the device on the home network in response to a request received from the device. However, Kudo discloses in response to a request received from a device on the home network (the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018]), during at least one of registering the device as a member on the home network (registration processing means for registering information related to the new network device permitted to be connected to the network by the decision of permission means, par. [0010]), transferring media content to the device, and issuing a license to the device allowing the device to use the media content. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Shirakawa with

the content determination and registering process of Kudo to prevent unauthorized access to external network.

19. With respect to claim 17, Shirakawa disclose the control means disconnects the home network from the external network in response to a disconnection request from a home server on the home network that provides the content on the home network (control of a control part 22, and an access from the WAN3 to the computer 11 in the LAN1 gets impossible in the disconnected condition, abstract).

20. With respect to claim 18, Shirakawa discloses the control means cause the means for connecting/disconnecting to reconnect the home network to the external network in response to a reconnection request from a home server on the home network that provides the media content on the home network (it is characterized by having the control means which changes whether said switching means is made into a substantial connection condition, or it considers as a substantial cutting condition, par. [0014])).

21. With respect to claim 19, Shirakawa disclose the control means cause the means for connecting/disconnecting to reconnect the home network to the external network at predetermined time after disconnecting the home network from the external network in response to a disconnection request from a home server on the home network that provides the media contents on the home network (a change in the connection condition of the circuit switch section 21 and cutting condition by the control section 22 can also be carried out by the time amount which a timer clocks, par. [0030])).

22. With respect to claim 20, Shirakawa discloses means for communicating with the external network while the home network is disconnected from the external network; and means for confirming the disconnection of the home network from the external network by accessing an external server on the external network during the disconnection (said control means shall supervise generating of the predetermined event in said internal network, and shall change whether said switching means is made into a substantial connection condition according to generating of this predetermined event, or it considers as a substantial cutting condition again, par. [0016]).

23. With respect to claim 21, Shirakawa discloses temporarily disconnecting the external network and from the home network in response to the request (a line switch part 21, fig. 1 is provided between a LAN1 as the internal network in limited meaning, and a WAN3 as the external network, abstract). Shirakawa doesn't disclose registering the device on the home network in response to a request received from the device. However, Kudo discloses receiving a request for content from the device (the decision of permission block 4 receives a network connection request from a new network device to be connected, par. [0018]), during at least one of registering the device as a member on the home network (registration processing means for registering information related to the new network device permitted to be connected to the network by the decision of permission means, par. [0010]), transferring media content to the device, and issuing a license to the device allowing the device to use the media content. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to

modify Shirakawa with the content determination and registering process of Kudo to prevent unauthorized access to external network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAHROUZ YOUSEFI whose telephone number is (571) 270-3558. The examiner can normally be reached on Monday-Thursday 9:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y./
Examiner, Art Unit 2432

/Gilberto Barron Jr./
Supervisory Patent Examiner, Art Unit 2432